

**Board of Zoning Appeals  
Town of Easton  
Wednesday, September 19, 2012**

The Board of Zoning Appeals met in open session at 9:00 a.m. in the Town Council Chamber in the Town Office Building. In attendance were Board Members Richard Tettelbaum, Chairman, Gary Molchan and Doris Mason.

**OPEN SESSION MINUTES**

**MEETING CALLED TO ORDER**

Chairman Tettelbaum called the regularly scheduled meeting to order at 9:00 a.m. Wednesday, September 19, 2012.

In attendance were:

Board of Zoning Appeals Members: Richard Tettelbaum, Gary Molchan and Doris Mason.

Staff: Lynn Thomas, Zach Smith, and Stacie Rice.

**NEW BUSINESS:**

**BOZA Case No. A-68**

Present at the meeting were Elizabeth Bloor, Applicant, Michael Kopen attorney for Mrs. Bloor, Don Richardson, Building Official for the Town and Town Attorney Sharon VanEmburch, representing the Code Enforcement Office. Property is located at 201, 203, 205 Port Street and 61 Pleasant Alley Easton, MD. Mrs. Bloor is appealing certain decisions made by the Town of Easton Code Enforcement Office regarding 4 rental units. The property is located in the R-7A Zoning District. Three of the properties are also in the Easton Historic Overlay District.

Mrs. Bloor described the properties and Mr. Kopen offered into evidence two pictures of the properties. Mr. Kopen explained the appellant is not appealing matters concerning routine maintenance and minor repairs to the property, but rather the appellant is appealing requirements to make structural repairs to increase interior ceiling heights, stairway and tread widths and door sizes. Mr. Kopen stated there have been no changes in the Code, which would justify the Code Enforcement Officer's determinations and feels as though the administrative actions are arbitrary, capricious and unreasonable.

Mrs. VanEmburch stated that all four units are rental units within the Town of Easton and are, therefore, subject to the Town's rental licensing and inspection program pursuant to Chapter 14, Article II of the Town Code. Mr. Richardson stated a few minor violations had been corrected, but the major life/safety/health violations were not corrected. He further stated that a Bloor Holding's representative would not allow reinspection of the other two units and therefore, a Condemnation Notice was sent for all four units.

Jackie Naylor and John Garlick, Code Enforcement Officers for the Town of Easton spoke in regards to past inspections and the current property maintenance issues with the properties.

Upon consideration of all the evidence and testimony presented at the meeting, Member Molchan made a motion finding that the Building Inspector correctly interpreted the minimal safety code applicable in this case motion seconded by Mrs. Mason and passed 3-0. The next motion was by Mr. Molchan, seconded by Mrs. Mason finding the standards were reasonably applied and the Code Official acted correctly in his decision vote was 2-1 (Tettelbaum against).

ADJOURNMENT

There being no further business, the meeting adjourned at 9:35 a.m.

\_\_\_\_\_  
Submitted by

\_\_\_\_\_  
Date